

Appl. No.: 10/576,536
Reply to Office Action of: 07/07/2011

Independent claim 1 recites, in part, (emphasis added) an apparatus comprising ... information-indicating light units are arranged to indicate information concerning a display unit application object located only outside a current view of the display unit so that there is formed a visual stimulus that functions as an indication of how the view shown on the display continues outside the view, in the direction of the visual stimulus ...and the light units are located around the display unit.

Similar to independent claim 1, independent claims 9, 19 recite, in part, respectively (emphasis added):

9. A method comprising ... controlling the information-indicating light units, which are located around the display unit ... such that information concerning a display unit application object located only outside the current view of the display unit is indicated by the information-indicating light units so that there is formed a visual stimulus that functions as an indication of how the view shown on the display continues outside the view, in the direction of the visual stimulus.

19. An apparatus comprising a display unit application located only outside the current view of the display unit so that there is formed a visual stimulus that functions as an indication of how the view shown on the display continues outside the view, in the direction of the visual stimulus, wherein the light units are located around the display unit.

In the previous Office Action, the examiner relied on arguments citing Yoshiki (JP2003062268) in view of Yokoi (US

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4,542,903) and Crudgington (US 6,409,596). The examiner now admits that Yoshiki in view of Yokoi does not disclose the indication of objects located only outside the current view of the display so that there is formed a visual stimulus that functions as an indication of how the view shown on the display continues outside the view, in the direction of the visual stimulus, and in the present Office Action relies on Halo (instead of Crudgington).

In particular the examiner relies on pages 13 and 15 of Halo as disclosing a gaming system with indications at edges of the display and references "large red warning indicators [I] at edges of the screen". However, applicant submits that the element I on page 13 is actually an arrow drawn on the display screen. Firstly, the element I does not correspond to any information-indicating light unit that could be around the display, as the arrow is an effect produced by the display itself. Secondly, the arrow is in the display itself. The XBOX is a game console to be connected to a television or other display. There is no teaching or disclosure about setting up lamps or other light units around the display. The XBOX game HALO altogether lacks the structure of claim 1.

Therefore, Halo does nothing to cure the deficiencies in the disclosures of Yoshiki and Yokoi.

Furthermore, applicant submits that there is no suggestion to combine the references as the examiner is attempting to do (at least not until after reading applicant's patent application). Applicant previously argued that Yokoi and Yoshiki would not

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have lead an ordinarily skilled person to try making the device of Yoshiki into portable form. In particular,

the Examiner contends in the Office Action that Yokoi would provide motivation to produce a gaming device that is as compact as possible (based on col. 1, lines 10-16 and lines 25-26). However, the Yokoi disclosure is not related to gaming devices as a whole, but to a hand-held game apparatus where characters are moveable for playing a game. Yokoi's disclosure is related to making handheld games more compact. It is respectfully submitted that Yokoi fails to provide an overall teaching to make all types of games portable. The Pachinko game of Yoshiki is not of such nature that a skilled person would have thought of that game when reading the teaching of Yokoi to make handheld games more compact.

Applicant further submits that the examiner has not shown why the ordinarily skilled person would have added the information-indication lights surrounding the display to form a visual stimulus that functions as an indication of how the view shown on the display continues outside the view, in the direction of the stimulus. Applicant submits that the skilled person would not have been motivated due at least in part to the feature discloses in the present application:

"For example in game applications, the user has time to react to the approaching situation, when the approaching situation is indicated in advance, so that the user can prepare himself for the situation. The location and/or direction of a situation, information, function or the like, left outside the current view, is typically

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indicated by controlling the light units arranged around the display, so that there are lighted up those light units that are located in the same direction with respect to the display view as the information to be indicated" (see page 4, lines 6-12).

This advantage or objective of reaching this advantage has not been identified in any one of the cited references. Hence, the ordinarily skilled person would not have had a motivation to construct an apparatus as in claim 1 without use of the claimed invention as a blueprint, nor would he have been able to arrive at the claimed invention solely using the disclosure of the references. Hence, it is clear that the present rejections do not show prima facie obviousness nor can the claimed invention be obvious at all as it is simply impossible to construe the claim 1 from the cited references.

Obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. (see MPEP 2143.01, page 2100-98, column 1). The mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination (see MPEP 2143.01, page 2100-98, column 2). A statement that modifications of the prior art to meet the claimed invention would have been "well within the ordinary skill of the art at the time the claimed invention was made" because the references relied upon teach that all aspects of the claimed

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invention were individually known in the art is not sufficient to establish a prima facie case of obviousness without some objective reason to combine the teachings of the references. (see MPEP 2143.01, page 2100-99, column 1) Ex parte Levengood, 28 USPQ2d 1300 (Bd. Pat. App. & Inter. 1993). >See also Al-Site Corp. v. VSI Int'l Inc., 174 F.3d 1308, 50 USPQ2d 1161 (Fed. Cir. 1999) (The level of skill in the art cannot be relied upon to provide the suggestion to combine references.)

In the present case, there is no teaching, suggestion, or motivation, found in either the references themselves or in the knowledge generally available to one of ordinary skill in the art, to provide apparatus comprising ... information-indicating light units are arranged to indicate information concerning a display unit application object located only outside a current view of the display unit so that there is formed a visual stimulus that functions as an indication of how the view shown on the display continues outside the view, in the direction of the visual stimulus ... and the light units are located around the display unit, as claimed in claim 1. The features of claim 1 are not disclosed or suggested in the art of record. Therefore, claim 1 is patentable and should be allowed.

For at least the foregoing reasons, independent claim 1 is patentable over Yoshiki in view of Yokoi and Halo. As mentioned above, similar recitations as those for claim 1 are present in independent claims 9, 19. Therefore, all other independent claims (i.e. claims 9, 19) also are patentable over Yoshiki in view of Yokoi and Halo for corresponding reasons regarding correspondingly recited subject matter.

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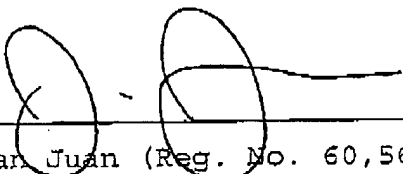
Accordingly, as all independent claims are patentable, all pending dependent claims also are patentable at least in view of their dependency from an allowable independent claim.

For completion, it is respectfully noted that the addition of Kawai, which was cited in the rejection of dependent claim 16, does not cure the shortcomings noted above regarding Yoshiki in view of Yokoi and Halo, and thus no combination of the cited references discloses or suggests Applicant's claimed subject matter.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record. Accordingly, favorable reconsideration and allowance is respectfully requested. If there are any additional charges with respect to this Amendment or otherwise, please charge deposit account 50-1924 for any fee deficiency. Should any unresolved issue remain, the examiner is invited to call applicant's attorney at the telephone number indicated below.

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Respectfully submitted,



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9/7/2011

Date

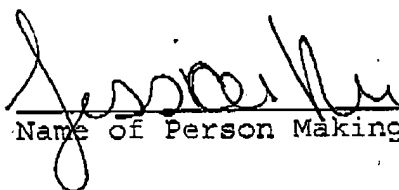
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